

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI**

KARLA K. ALLSBERRY and)
LORI RUSSELL) Case No. 4:19-cv-02366-SNLJ
)
Plaintiffs,)
)
vs.)
)
JUDGE PATRICK S. FLYNN, In his)
Individual Capacity,)
KATHY HALL, In her Individual)
Capacity,)
SHERIFF JOHN COTTLE, In his)
Individual Capacity,)
DEPUTY SHERIFF RYAN PARKER,)
In his Individual Capacity,)
DEPUTY SHERIFF/BAILIFF JULIE)
CONNOR, In her Individual Capacity)
and DEPUTY SHERIFF/BAILIFF)
ANTONIO PINEIRO, In his Individual)
Capacity)
)
Defendants.)

CONSENT TO A PRELIMINARY INJUNCTION

COME NOW Plaintiffs, Karla K. Allsberry and Lori Russell, and consent to a preliminary injunction, as follows:

1. If the Court remands the entire case in Allsberry, et al. vs. Flynn, et al., Case No. 4:19-CV-03167-SNLJ to Lincoln County, Missouri, Plaintiffs, Karla K. Allsberry and Lori Russell, consent to a preliminary injunction against them, barring them from litigating any claim in the remanded Lincoln County Case (Lincoln County Case No. 19L6-CC00143) other than Count XIII, seeking injunctive relief reinstating Karla Allsberry to her position as elected Clerk of the Circuit Court and Count XV, seeking a Declaratory Judgment that Judge

Flynn lacked authority to indefinitely suspend Karla Allsberry from her position as Clerk of the Circuit Court.

2. Plaintiffs submit that this preliminary injunction will not violate the Anti-Injunction Act, 28 U.S.C. § 2283, because the injunction is necessary to preserve this Court's jurisdiction and to effectuate this Court's previous Order staying this case under the Pullman Abstention Doctrine, until the issues raised in Counts XIII and XV of the Lincoln County case are decided by the Missouri State Courts.

3. This consent is conditional upon the Court remanding the case to Lincoln County, Missouri in Allsberry, et al. vs. Flynn, et al., Case No. 4:19-CV-03167-SNLJ.

4. A proposed Order is attached.

/s/ David M. Duree

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was filed electronically with the Clerk this 20th day of February 2020 and that the Clerk's office electronically served a copy on the following:

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